

Des Moines Police Department Personnel and Administrative Rules and Regulations

Chapter 6 - Firearms

m. USE OF DEADLY FORCE:

1. This directive is for internal use only and does not increase an officer's civil or criminal liability in any way. This does not hold the officer to a higher standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a nonjudicial setting.
2. The decision to use deadly force shall rest solely with the employee's individual judgment.

n. DISCHARGE OF FIREARMS – NOT PERMITTED:

1. For the purpose of warning.
2. At moving vehicles except in self-defense, the defense of another police officer, or a third party.
3. In cases where a warrant is on file, the identity is known to the employee and such escape would not be an immediate danger to innocent persons or the employee.

o. DISCHARGE OF FIREARMS – PERMITTED:

1. At an approved range.
2. To destroy animals seriously injured or dangerous, when other disposition is impractical.
3. When legally ordered or authorized by a commanding officer.
4. When the employee reasonably believes that such force is necessary to protect himself or another person from the use or threat of use of deadly force.
5. When the employee reasonably believes that such force is necessary to effect the arrest of a person who, in the employee's mind, is known to have committed a dangerous felony if:
 - The person has used or threatened to use deadly force, and;
 - The employee has made a reasonable attempt to make known his official identity and intent to arrest, and;

- All other methods of apprehension have been exhausted, and;
- The employee reasonably believes that such discharge of firearms can be done without substantial risk of injury to innocent persons.

p. FIREARMS REVIEW COMMITTEE:

1. The purpose of the Firearms Review Committee is to examine all facts concerning shooting incidents and to determine if they are in conformance with departmental policy.
2. A Case Investigation Report of each incident will be forwarded to the office of the Chief of Police at the end of the officer's shift or at 0800 hours the next day, whichever occurs first.
3. A completed Arrest Incident Report, completed Case Investigation Report and all pertinent reports and accounts of the incident will be forwarded to the Inspectional Services Bureau commander within five (5) days of the incident or as soon as all reports are available, whichever occurs first. (Deadly force incidents do not require an Arrest Incident Report)
4. The Firearms Review Committee will be composed of:
 - a) Police Legal Advisor, as chairperson.
 - b) Patrol Services Bureau commander.
 - c) Detective Bureau commander.
 - d) Inspectional Services Bureau commander.
 - e) Administrative Services Bureau commander.
 - f) Homeland Security commander.
5. The Firearms Review Committee will meet and review all shooting incidents involving the use of force by department personnel, except shooting incidents involving the destruction of animals.
6. Shooting incidents involving the destruction of animals will be reviewed by the bureau commander. The Firearms Review Committee will be required to review such shooting incidents upon the request of the bureau commander.

7. The committee's finding shall be drafted by the Police Legal Advisor and submitted to the Chief of Police.
8. All meetings convened shall be recorded, and such recording filed in the Inspectional Services Bureau. (Revised 6/6/2005)